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July 16, 2007

**VIA ELECTRONIC & U.S. MAIL**

Ms. Alice Yeh  
ATTN: Lower Passaic River Remedial Project Manager  
Emergency and Remedial Response Division  
U.S. EPA, Region 2  
290 Broadway, 19th Floor  
New York, New York 10007

**Re: Monthly Progress Report No. 2 – June 2007  
Lower Passaic River Study Area (LPRSA) Remedial Investigation/  
Feasibility Study (RI/FS)  
CERCLA Docket No. 02-2007-2009**

Dear Ms. Yeh:

**de maximis, inc.** is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

**(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.**

**Meetings/Conference Calls**

- On June 26, 2007, A. Yeh contacted K. Carbonneau, ENSR to get a summary of how the field programs were going to be accomplished so that plans for conducting oversight could be formulated.
- On June 27, 2007, R. Law, **de maximis**, K. Carbonneau, ENSR (representing the CPG) met with A. Yeh for a second Project Management meeting as required per paragraph 41 of the AOC. The agenda for the meeting consisted of the following items: 2007 RI/FS Field Task Work Plan/UFP QAPPs; AOC Appendix E Deliverables; Project Deliverables and Field Facility/Equipment Turnover Items. On the same day, the CPG (K. Carbonneau) provided an overview of the Fall 2007 field program to the PDT.

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### **Correspondence**

- **de maximis** submitted a Project Schedule to EPA on June 7, 2007 pursuant to Paragraph 37 of the AOC.
- **de maximis** submitted a monthly Progress Report covering May 2007 project activities to EPA on June 15, 2007.
- ENSR received one disk with modeling information from HydroQual on June 15, 2007 and June 20, 2007 each. The contents were a partial deliverable related to Modeling Data Needs as identified in Appendix E of the AOC.
- **de maximis** on behalf of the CPG received a copy of the Early Action Focus Feasibility Study (FFS) via electronic mail on June 14, 2007 and a hard copy on June 15, 2007.
- **de maximis** (J. Rolfe) and Malcolm Pirnie (MPI) exchanged phone calls and electronic mail through-out the month on transfer of equipment and Field Facility issues. The correspondence related to the transfer of equipment was mainly related to the transfer of ownership of project boats/trailers and the reconciliation of costs for the floating dock.

### **(b) Results of Sampling and Tests**

- No field sampling activities were conducted during this period; therefore, no results are available. Processing of the LPRSA aerial photography task approved by the EPA in March 2007 has progressed; ENSR has provided comments on the aerial photography preliminary package of ortho-photos during the reporting month.
- Wipe sampling of the floor and walls at the East Rutherford Field Facility were re-sampled on June 25, 2007 by MPI. Previous wipe samples were collected on April 30, 2007, but due to a lab error metals samples were required to be re-sampled. Sample results have not yet been made available by MPI.

### **(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion**

The following draft documents representing proposed 2007 field work tasks are being completed for submission during this period:

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- Bathymetry Survey Plan
- Sediment Grab Sampling Plan
- Habitat Identification Survey UFP QAPP
- Fish Community Survey UFP QAPP
- Reference/Urban Background Survey UFP QAPP
- Fish Community/Fish/Crayfish Tissue Sampling UFP QAPP

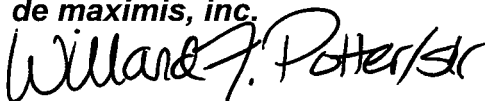
**(d) Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.**

CPG is not in receipt of the Modeling Deliverables that were to be provided pursuant to Appendix E (Modeling Data Needs) of the Settlement Agreement on or about April 30, 2007. EPA informed CPG of the delay on May 4, 2007. CPG understood that EPA intended to provide the modeling deliverables on or about June 15, 2007. Only a portion of the Modeling Deliverables was provided; the outstanding modeling information and outstanding information for Critical Data Needs was discussed with EPA on June 27, 2007. The modeling deliverables are required no later than the third quarter of calendar year 2007 so as not to adversely impact the LPRSA RI/FS schedule.

If you have any questions, please contact me or Rob Law at (908) 735-9315.

Very truly yours,

*de maximis, inc.*



Willard F. Potter  
Project Coordinator

cc: Sarah Flanagan, EPA Office of Regional Counsel  
William Hyatt, CPG Coordinating Counsel  
Megan Grubb, USACE  
Lisa Baron, NJDOT  
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